

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

GARY KUZMIN

vs.

THERMAFLO, INC. AND  
COMAIR ROTRON, INC.

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CASE NO. 2:07-CV-553

**MEMORANDUM ORDER**

The above-titled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge, which contains his recommendation for the disposition of plaintiff's motion (Dkt. No. 4) has been presented for consideration. No objections were filed to the Report and Recommendation. The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts the report of the United States Magistrate Judge as the conclusions of this court. Accordingly, the plaintiff's motion for a temporary restraining order are denied.

**SIGNED this 31st day of March, 2009.**



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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE